

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
Case No. 05-44481-rdd

- - - - -x

In the Matter of:

DPH HOLDINGS CORP., et al.,

Reorganized Debtors.

- - - - -x

U.S. Bankruptcy Court
300 Quarropas Street
White Plains, New York

July 28, 2011
10:05 AM

B E F O R E:
HON. ROBERT D. DRAIN
U.S. BANKRUPTCY JUDGE

1

2 **Forty-Sixth Claims Hearing**

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24 **Transcribed by: Hana Copperman**

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S :

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

Attorneys for Debtors

155 North Wacker Drive

Chicago, IL 60606

BY: MICHAEL PERL, ESQ. (TELEPHONICALLY)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

THE CLERK: All rise.

THE COURT: Good morning. This is In re DPH Holdings.

MR. PERL: Good morning, Your Honor. Michael Perl of Skadden, Arps, Slate, Meagher & Flom on behalf of the reorganized debtors.

THE COURT: Okay. There's no one in the courtroom besides my staff, so I'll just hear from you, then.

MR. PERL: Okay. Thank you, Your Honor. Your Honor, there are no matters scheduled for today's sixty-eighth omnibus hearing and only one contested matter scheduled for the forty-sixth claims hearing. Yesterday, Your Honor, the reorganized debtors filed a proposed agenda for the claims hearing at docket number 21502, and with Your Honor's permission I'd like to proceed in accordance with that agenda.

THE COURT: That's fine.

MR. PERL: Your Honor, the first matter on the agenda is the claims of ATS. Those claims have been adjourned to the August 25th hearing pursuant to a notice of adjournment that had been filed.

THE COURT: Right.

MR. PERL: And the second matter on the agenda are the claims of Direct Sourcing, and those claims have been resolved pursuant to a joint stipulation that had been previously -- been entered by Your Honor.

1 THE COURT: Okay.

2 MR. PERL: Your Honor, the third matter is the only
3 contested matter for today. That is the matter with respect to
4 the Timken Company, specifically with respect to proofs of
5 administrative expense claim numbers 18832 and 19765.

6 The reorganized debtors filed a notice to notice these
7 claims for a hearing, and the reorganized debtors filed their
8 statement of disputed issues at docket number 21299 asking that
9 these two claims be disallowed and expunged.

10 The Timken Company did not respond to the reorganized
11 debtors' statement of disputed issues, and counsel for Timken
12 has represented that it will not be opposing the relief sought
13 by the reorganized debtors and that it will not be appearing at
14 today's hearing. Accordingly, the reorganized debtors
15 respectfully request that Your Honor enter an order disallowing
16 and expunging proofs of administrative expense claim numbers
17 18832 and 19765.

18 THE COURT: Okay. I'll do that. The statement of
19 issue states that on the debtors' books there's no evidence of
20 any amount owing. I assume Timken's verified that, confirming
21 that either it filed the claim in error or it had been paid in
22 the ordinary course, so you can submit the order granting the
23 objection.

24 MR. PERL: Thank you, Your Honor. Your Honor, that
25 concludes the forty-sixth claims hearing today, and unless Your

1 Honor has any other questions we request that we be excused for
2 today.

3 THE COURT: No, that's fine. Thank you.

4 MR. PERL: Thank you, Your Honor.

5 THE COURT: Okay.

6 (Whereupon these proceedings were concluded at 10:07 AM)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

RULINGS

	Page	Line
Granting of request to disallow and expunge proofs of administrative expense claims 18832 and 19765	5	19

C E R T I F I C A T I O N

I, Hana Copperman, certify that the foregoing transcript is a
true and accurate record of the proceedings.

Hana
Copperman

Digitally signed by Hana
Copperman
DN: cn=Hana Copperman, o, ou,
email=digital1@veritext.com,
c=US
Date: 2011.08.01 10:35:09 -04'00'

Hana Copperman

AAERT Certified Electronic Transcriber (CET**D-487)

Veritext

200 Old Country Road

Suite 580

Mineola, NY 11501

Date: July 30, 2011